GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Higher Education Department — The Andhra Pradesh Private Higher Educational Institutions (Establishment, Recognition, Administration and Control of Institutions) Rules, 2021 for granting permission to start Private Un-aided Degree Colleges, un-aided Under Graduate and Post Graduate Courses and related matters thereon — Orders — Issued.

HIGHER EDUCATION (C.E) DEPARTMENT

G.O.MS.No. 36 **Dated: 15-07-2021.**

Read the following:-

1.A.P. Education Act, 1982.
2.G.O.Ms.No.29, Education (Rules) dated:5.2.1987 and subsequent amendments.
3.G.O.Ms.No. 278,Education (UE.II-2) Department, dated:24.7.1995.
4. UGC Regulations 2009 and 2012 on affiliation of Colleges.
5.From the Secretary, APSCHE, Rc.No.APSCHE/AC/Colleges & Programmes / Review of Rules/2020-21, dated:04.07.2020.

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ORDER:-

In the reference G.O., 2nd read above, the G.O.Ms.No.29, Education (Rules), dated. 5th February 1987 was issued more than thirty (30) years ago and several amendments were brought to the said G.O., in a piecemeal manner. Further, several structural, administrative and academic changes that took place in Higher Education sector over the last three (3) decades necessitated a thorough review of the existing rules. Moreover, the University Grants Commission (UGC) recommended several reforms including enhancement of quality in Higher Education by an appropriate investment on infrastructure, faculty, academic reforms, institutional governance and restructuring; expansion of the Higher Education base to make it inclusive; removal of regional imbalances by providing access to underserved areas; and promotion of relevance, efficiency and creativity in Higher Education. Further, the UGC observed that 90% of the under graduate students, 70% of the post graduate students, and 80% of the faculty members are currently in affiliated colleges, any strategy for improving quality in Higher Education must address this segment.

2. The University Grants Commission issued Regulations for affiliation of Colleges by the Universities in 2009 and 2012. These rules are a mandate to all the Universities and the Colleges affiliated to the Universities in the Country. The Government noted that there are variations between the Rules prescribed in the G.O.2nd cited and the UGC Regulations, 2009 and amended Regulations, 2012 in respect of instructional and infrastructural facilities for establishment of degree colleges and additional programmes etc. The Inspection Report of the Accountant General has also commented the variations in rules and not prescribing norms and standards in accordance with UGC Regulations for according approvals to new degree colleges and programmes.

3. In this background, the Government of Andhra Pradesh has decided to evolve appropriate strategies for bringing more transparency in the system, and to achieve the targeted standards of quality in the realm of Higher Education. It has therefore become desirable to bring out comprehensive rules relating to the establishment, administration and control of Private Higher Educational Institutions including granting permissions to New Private Un-aided Degree Colleges, Un-aided Under Graduate and Post Graduate Programmes, Shifting of Colleges, Change of Managements, Conversion of Colleges, change of name of the college, etc.

4. Accordingly, the following notification will be published in an Extra-Ordinarily issue of the Andhra Pradesh Gazette, dated:16-07-2021.

NOTIFICATION

In exercise of the powers conferred by sections 20 and 21 read with section 99 of the Andhra Pradesh Education Act, 1982 (Act No.1 of 1982) and in supersession of G.O. Ms.No.29, Education (Rules) dated. 5th February, 1987, and of all subsequent Government Orders, except for those rules which in part or full pertains to Junior Colleges, Oriental Colleges, Hindi Maha vidyalayas, Law Colleges, Government Degree Colleges and Aided Sections in Private Aided Degree Colleges, the Government of Andhra Pradesh hereby makes the following rules for the granting refusal and withdrawal of permission for New Private Un-aided Degree Colleges; Un-aided Under Graduate and Post Graduate Programmes, and administrative matters related to Degree Colleges under the Private Sector.

RULES

1. Short title, applicability and commencement:-

(1) These rules may be called " The Andhra Pradesh Private Higher Educational Institutions (Establishment, Recognition, Administration and Control of Institutions of Higher Education) Rules, 2021.

(2) These rules shall apply to all the Private Un-aided Degree Colleges and Private Aided Colleges offering Un-aided Programmes and affiliated to the concerned University.

(3) They shall come into force with effect from the date of issuance of this order.

2. Definitions:

(1) In these rules, unless the **context** otherwise requires,

(a) 'Act' means The Andhra Pradesh Education Act, 1982 (Act No.1 of 1982) and subsequent amendments thereon.

(b) 'Affiliation' means together with its grammatical variations includes, in relation to a college, recognition of such college by, association of such college with, and admission of such college to the privileges of, a university.

(c) 'College' means any institution, whether known as such or by any other name which provides for a programme of study for obtaining any qualification from a university and which, in accordance with the rules and regulations of such university, is recognized as competent to provide for such programme of study and present students undergoing such programme of study for the examination for the award of such qualification;

(d) 'Commission' means the University Grants Commission established under the UGC Act;

(e) 'Competent Authority' means the A.P., State Council of Higher Education as defined under section 3 and 4 of the Andhra Pradesh State Council of Higher Education Act, 1988 (Act 16 of 1988) and as designated vide. G.O.Ms.No.278, Education (UE-II-2) Department, dated.24.07.1995, a competent authority to grant/reject permission for starting of New Private Un-aided Degree Colleges; for sanction/rejection of un-aided Under-Graduate and Post-Graduate Programmes, and other

related matters and to grant/reject affiliation is the Executive Council of the concerned University.

(f) 'Course' means one of units which comprise a programme of study.

(g) 'Degree College' means any institution which provides for a programme of study beyond 12 years of schooling/10+2 (either through formal schooling for 12 years, or through open school system) for obtaining any qualification from a university and which, in accordance with the rules and regulations of the university, is recognized by the Competent Authority as competent to provide for such programme of study and present students undergoing such programme of study for the examination for the award of such qualification

(h) 'Educational Society/Trust' means a Society/Trust registered under AP Societies Act, 2001/Trust Act, sponsoring and/or running the Educational Institution unless otherwise specifically mentioned.

(i) 'Government' means the State Government of Andhra Pradesh.

(j) 'Grant-in-aid college' means an 'Aided college' receiving grants from the Government for payment of salary to its employees.

(k) 'Locality' means Territorial Jurisdiction of a Mandal division as defined in the Andhra Pradesh Panchayat Raj Act, 1994, for the purpose of these rules.

(l) Private Higher Educational Institution' means an Educational Institution sponsored/managed/run by Society/Trust and permitted and affiliated by the Competent Authority, which includes Private Un-aided Degree Colleges, Private Aided Degree Colleges offering un-aided programmes, for the purpose of these rules.

(m) 'Programme/Programme of study' means a Higher Education programme pursued for a degree specified by the Commission under section 22 (3) of the UGC Act.

(n) 'Statutory/Regulatory body' means a body so constituted by a Central /State Government Act for setting and maintaining standards in the relevant areas of Higher Education.

(o) 'Student' means a person admitted to and pursuing a specified programme of study.

(2) Words and expressions used in these rules but not defined herein shall carry the same meaning as are assigned to them in the 'Act'.

3. Survey on the Educational needs of the Locality;

(1) The Competent Authority shall, from time to time, conduct a survey as to identify the educational needs of the locality for establishing educational institutions and programmes under section 20 of Andhra Pradesh Education Act, 1982.

(2) The Competent Authority shall conduct scientific survey once in every 3 years and or as required from time to time, taking the Mandal as a unit to assess separately the demand for admissions to Undergraduate and Postgraduate programmes in the faculties of Arts & Social Sciences, Science, Commerce & Management, and any other disciplines; and to determine the number of Degree Colleges/Programmes needed, distance between the Degree Colleges, and the excess/short-fall, if any, in demand in each Mandal in the State.

(3) The survey for granting permission to new private un-aided degree colleges and un-aided Under Graduate and Post Graduate programmes shall determine these aspects by considering (i) the number of Junior Colleges in the area, (ii) the number of Intermediate students passed out, (iii) the existing number of Degree Colleges, (iv) the number of seats available for admissions in different programmes, (v) the percentage of admissions, programme-wise, in the existing colleges for the past 3 years, and (vi) any special features of the area in terms of any socio-economic dynamics in that Mandal.

(4) The Competent Authority shall prescribe other parameters in addition to the parameters in sub-rule (3) above on the matters related to Degree Colleges and Programmes.

(5) The Competent Authority shall notify the educational needs of the localities in the prescribed manner through local news papers and/or public domain.

4. Eligibility of sponsoring Society;

(1) Educational Society/Trust intending to start a New Private Un-aided Degree College should be registered under the A P Societies Act, 2001 (Act 35 of 2001) /Trust Act and as amended from time to time, on or before the date of submission of the application.

(2) Society should have defined its vision, mission, constitution, duties and powers of each category of members of the Society, clause of abolition etc., in its bye-laws.

(3) Society which is already sponsoring and/or running an educational institution shall be given preference.

(4) Educational Society that is sponsoring and/or running an existing Degree College in temporary premises/building on lease/rent beyond 10 years is not eligible to start another New Private Un-aided Degree College.

5. Norms for establishment of New Private Unaided Degree College;

(1) The applicant society seeking permission and affiliation thereon, shall satisfy the following requirements for establishment of new Private Un-aided Degree College.

(2) Land: **-** Undisputed ownership and possession of land free from any or all encumbrances measuring not less than 1.5 acres if it is located in mega cities, 2 acres if it is located in metropolitan cities and 5 acres if it is located in other cities /places.

(i) Provided that this shall not apply to colleges already permitted and affiliated to the Universities.

(ii) Provided further the lesser land requirement in mega cities shall not compromise extra-curricular/extra mural activities of the College.

(iii) Provided also that the requirement of 5 acres could be contiguous or in two bits with not less than 2 acres per location and which are not separated by more than 2 kilometers.

(iv) The land shall be owned by, and registered in the name of the applicant Educational Society, but not in the name of any office bearer or member of the Society concerned or any other individual. The title shall remain in the name of the Society during the existence of the college.

(v) Subject to compliance of norms in sub-rule (2) above, the Competent Authority shall issue guidelines on the list of mega cities, metropolitan cities and other cities/places as declared from to time.

(vi) The land document(s) shall not be mortgaged for any purpose during the existence of the college/programme.

(3) Building accommodation: Academic building sufficient to accommodate the faculties, Lecture/seminar rooms, library and laboratories with a minimum 15 sq.ft. per student in lecture/seminar room/library and 20 sq.ft.per student in each of the laboratories.

(i) Subject to the compliance of norms in sub-rule (3) above, the Competent Authority shall issue guidelines prescribing the ceilings on

sanctioned intake and dimension of class rooms and common facilities like the Principal's room, staff room, office room, library and reading room, games room, ladies waiting room, toilets separately for men and women, seminar/conference hall, with built up area, to offer un-aided under graduate and post graduate programmes.

(ii) Starting of New Private Un-aided Degree Colleges, shall henceforth be permitted only in permanent and independent buildings owned by the sponsoring Educational Society, but not in flats/sheds/abandoned godowns/commercial complexes/thatched houses, provided that the permanent building is (a) located in a favorable neighborhood, which is not inimical to students and study and shall not be located within a radius of 500 mts., from cinema halls, wines shops, public function halls, etc., (b) having all the required permissions from the Panchayat/ Municipal/Corporation and other authorities concerned duly indicating survey number, proceedings references etc., on the approved plan document, as also the Fire Safety/Sanitary Certificate.

(4) Library: with at least 1000 books, with 100 books in different titles on each subject, of the proposed programmes to include both text books and reference books, besides two journals per subject, along with a book bank facility for students belonging to the scheduled castes, scheduled tribes and such other sections as may be specified by the Government from to time. The institution shall add 250 books per programme each year. Access to online resources and digital library with at least 10 computers shall be provided.

(5) Laboratory: There shall be separate laboratories for each of the subjects where practicals are prescribed. Necessary laboratory equipment and consumables are to be procured as prescribed by the University/Statutory/ Regulatory body concerned for each of the programmes.

(6) Furniture: Each class room shall be provided with a blackboard/Digital/ Smart Board, preferably with an LCD projector. There shall be a Chair and a table for the use of lecturer. Sufficient number of desks or chairs with side-writing planks or tables and chairs for the use of the students shall be provided. Appropriate furniture for lecture/seminar rooms, laboratories, library, faculty rooms, for administrative staff including the Principal, multi-purpose complex/auditorium, common rooms and hostel rooms, if hostel facility is provided along with any other facilities.

(7) Supporting facilities:

(i) *Playground facility:* The proposed college premises shall have adequate outdoor and indoor games facilities for the students. If such facility is not available within the college campus, the Society shall, through a Memorandum of Understanding, make separate and alternate

arrangements, along with bus facility, for its students to play in a public place such as Municipal playground or in the grounds of another Educational Institution, which is within 5 km radius from the premises of the proposed college.

(ii) *Civic facilities:* The adequate essential civic facilities like water, electricity, ventilation, toilets, sewerage etc shall be provided in conformity with the norms laid down by the State Public Works Department.

(iii) *Service centers:* A multipurpose complex/an auditorium and facilities for sports, canteen, health care, separate common rooms and separate hostels for boys and girls, wherever necessary, as decided by the Competent Authority/University/Regulatory body shall be provided.

(iv) *Safety measures:* The adequate measures for safety, security, pollution control etc., shall be taken.

(v) *Parking Area:* The Educational Society shall provide parking area to an extent of 20% of the total built up area either in the college premises or within a distance of 100 meters there from.

(vi) *Website and e-mail address:* The college shall maintain an active website showing all the details with regard to list of programmes offered and intake, number of students admitted in each programme, number of students appeared and passed in each programme, list of teaching staff with qualifications, year wise, programme wise, social background wise fee reimbursement details, available infrastructural facilities like number of class rooms with sq.ft, laboratory facilities, library facilities and other amenities etc. A functional email address of the Society/Trust shall be provided.

(8) Corpus Fund: Provide a Corpus Fund permanently in the joint name of the Management of the College and the Competent Authority by way of irrevocable Government Securities.

(i) Rs.15 lakhs per programme if the college proposes to conduct programme in Arts, Science and Commerce.

(ii) The corpus fund shall be deposited initially for a period of 10 years and renewed at regular intervals.

(iii) 50% percent of interest accrued out of the corpus fund may be utilized by the college for every 5 years with a No Objection Certificate from the University for strengthening its infrastructure facilities. The remaining 50% of the interest accrued shall be added to the principal amount of the Corpus fund and renewed as long as the programme is offered.

(iv) The principal amount of the corpus fund shall not be withdrawn or mortgaged for any purpose during the existence of the college/ programme.

(v) The corpus fund shall be in the form of a fixed deposit in any Nationalized Bank, and jointly held by the President/Secretary of the Educational Society and the Competent Authority i.e. APSCHE.

(vi) The fixed deposit receipt shall also bear the name of the Educational Society, name of the college and the Programme(s) for which it is invested.

(vii) The corpus fund shall not be provided in the form of Bank Guarantee/Bankers Cheque/DD.

(viii) The corpus fund shall be deposited after the Inspection Committee visit, and on the direction of the Competent Authority i.e. APSCHE before the issuance of the permission order to the Educational Society for the starting of the College/Programme.

(9) Financial Resources: The Competent Authority shall issue guidelines on the requirement of investment for instructional and infrastructural facilities for starting a new private unaided degree college/un-aided Under Graduate course and un-aided Post Graduate course.

6. Norms for starting of new private un-aided UG Programmes /Addl. Sections/ change of combinations, conversion of medium etc.,:-

(1)Any proposal for adding new programmes shall be considered by the Competent Authority only after ensuring equitable distribution of facilities for Higher Education, having due regard, in particular, to the needs of the unserved, under developed, rural, hilly, tribal and backward areas.

(2) The approval for grant of permission to start new un-aided Under Graduate programme, additional sections and combinations of programs etc**.,** other than those which exist in the college at the Under Graduate level, are subject to fulfillment of the following:

(i) The norms and guidelines for building accommodation, Library, Laboratory, Furniture, Corpus fund and Financial resources as prescribed in Rule 5 are applicable for grant of permission to start new private un-aided UG Programmes /additional Sections etc.,

(ii) Should have completed five (5) years of existence with UGC 2(1) recognition and UGC 12(B) recognition or NAAC accreditation, in case of Colleges that have completed ten (10) years of existence.

(iii) The college shall have above 50% of admissions for existing programmes in general.

(iv) 75% of the students should have appeared for 3rd year (i.e. 5th and 6th Semester) examination of all programmes in the preceding year.

(v) Shall have a proven record of good academic performance of the Institution for the preceding three academic years of its application,

(vi) Shall have qualified staff as prescribed in the Rules and or by the Competent Authority from time to time. Out of which at least 50% of the teaching staff shall be qualified with 55% in the concerned subject in PG with Ph.D or PG with NET/SLET in specific programme in particular.

(vii) Shall have the affiliation order of the previous academic year of the University concerned, and has no dues of any kind pending either to the University or to the Competent Authority.

(viii) Shall have rectified the deficiencies, if any, pointed out by the Competent Authority and affiliation committees of the concerned university,

(ix) Should not have been punished or an enquiry is pending for violating any rules or regulations stipulated by the Government/ Competent Authority/affiliating University or any other Statutory Authority concerned or for any other reason(s), which in the opinion of the Competent Authority, is inimical to the learning environment of the college.

(x) The college shall develop and maintain an active and dynamic website showing all the details with regard to list of programmes offered and intake, number of students admitted in each programme, number of students appeared and passed in each programme, year-wise list of teaching staff with qualifications, programme wise, social background wise, fee reimbursement details, available infrastructural facilities like number of class rooms with sq.ft, laboratory facilities, library facilities and other amenities etc. Valid email id of the institution and of the concerned authorities shall be furnished.

(xi) The college shall enclose a certificate/proof on year wise, programme wise, social background wise fee reimbursement details/ dues.

(xii) Shall upload its information in the portals of the Central/State Government as prescribed from time to time.

(3) The nomenclature of the Programme(s)/Course(s)applied for shall be from the approved list of Under Graduate Programme(s)/Course(s) notified by the University/University Grants Commission (UGC).

(4) Colleges that are accredited with `A-Grade' by NAAC, Autonomous or any such college with a Statutory Authority alone are eligible to start an 'Honours' Degree Programme.

(5) The Competent Authority shall issue guidelines from time to time prescribing the ceilings on the number of sections to be sanctioned, number of combination of subjects permissible, change of medium, conversion and or surrender of programme etc.

(6) If the applicant college is offering instruction for the same combination/programme in more than one Medium, each Section shall be treated as one unit for the purpose of counting the number of combinations. In Aided Colleges, this condition is applicable only to the Un-aided/Self-supporting Programmes.

(7) A Society is not permitted to convert any Program/Course/combination on its own. The Society shall have to surrender the existing Program/ Course/combination in the College, and apply afresh for starting the new Program/Course/combination.

7. Norms for starting a new un-aided post graduate course:-

(1) The approval for grant of permission to start Un-aided Post Graduate Programme(s), are subject to fulfillment of the following:

(i) The norms and guidelines for building accommodation, Library, Laboratory, Furniture, Corpus fund and Financial resources as prescribed in Rule 5 are applicable for starting of new private un-aided PG Programme.,

(ii) The applicant college shall be accredited by NAAC or any such Statutory Authority with a minimum of "B" Grade or its equivalent.

(iii) The proposed PG Programme(s) shall be in the approved list of Post Graduate Programmes notified by the University, except in the case of Autonomous Colleges.

(iv) The applicant college should have been offering the subject, or an allied subject, in which the PG Programme is proposed, as one of the optional subject at the Under Graduate (UG) level for at least five (5) years preceding the academic year for which the proposal is made.

(v) The applicant college shall have adequate accommodation to run (i) the existing UG Programmes, (ii)the existing PG/Diploma Programmes,

if any, and (iii) the proposed PG Programme as per the existing norms stipulated by the Competent Authority i.e. APSCHE /University.

(vi) The Competent Authority shall issue guidelines prescribing number of PG Programmes to be sanctioned in a College for that academic year.

8. Norms for Extension of Permission (EoP)

(1) The Private Higher Educational Institutions which are permitted to run in leased buildings, prior to issuance of these rules shall apply for Extension of Permission (EoP) to the Competent Authority.

(2) The temporary permission that has already been accorded shall be renewed annually for a period of five years, relaxable to ten years in deserving cases, by the Competent Authority.

(3) The Educational Society which is running its college in leased building shall not be entitled for EoP after completion of ten (10) years of its existence and shall shift its college from leased premises to own building. If any Society fails to shift its college into own building, such college should invariably be closed.

(4) The affiliating University shall not grant affiliation to the Colleges which are functioning in the leased premises if they fail to get EoP from the Competent Authority.

(5) The Educational Society shall not make admissions into 1st year Programmes of that academic year without obtaining EoP from the Competent Authority. However, such colleges shall function till the existing batches complete the Programme.

9. Norms for shifting of Degree Colleges:-

(1) The Competent Authority shall permit the Society to shift the college from one building to another building within the locality/mandal, where permission was accorded to establish the institution/College, subject to the following conditions :

(i) Shifting from one leased building to another leased building, within the same Mandal shall be permitted in exceptional cases where a better accommodation is provided.

(ii) The Educational Society shall shift the College from rented building to own building within the locality/mandal. The time limit to shift the College from rented building to own building shall be within a period of 5 to 10 years.

(iii) The Rules/Norms for instructional and infrastructural facilities which are in force for according approval to new private un-aided degree colleges shall be applicable for shifting of private un-aided degree colleges from one building to another building.

(iv) The Educational Society shall submit an application to the Competent Authority as prescribed, for obtaining the prior approval of the Competent Authority for shifting of colleges within locality/mandal.

(v) Any proposal for Shifting of College and if it also involves Change of Management, the handing over Society shall first apply for the Change of Management to the Competent Authority and after getting the approval for the Change of Management from the Competent Authority, the new Society shall apply for Shifting of college.

(vi) The rules in force for shifting of colleges from one building to another building within the locality/mandal as prescribed above shall apply to all Education Societies.

(2) The Educational Society shall not be permitted to shift the College from one locality/mandal to another locality/mandal. In exceptional circumstances and on the recommendations of the Competent Authority, the Government has the authority to examine the shifting of colleges from one locality to another locality under section 100 of AP Education Act, and in larger public interest, with reference to the following terms and conditions**,-**

(i) Self-assessment made by the Private Educational Societies /Institutions claiming that the students are migrating to other towns due to lack of quality in education in the existing colleges could not be a ground to grant relaxation under Section 100 of said Act, to shift the College to another mandal.

(ii) The contention of not securing admission of students in a particular locality cannot be a ground to grant relaxation under section 100 of said Act, to shift the College to another mandal.

(iii) The permission to shift a degree college in a particular locality shall be based on the needs of the locality and not the needs of the individual institution.

(iv) Even for shifting of colleges from one mandal to another mandal by exercising the power under section 100 of the said Act, the assessment of the educational needs of the locality should be made and notify such mandal for inviting applications from all those who are desirous of establishing a degree college in that mandal.

(3) Any proposal for Shifting of College from one mandal to another mandal and if it also involves Change of Management/Society, the handing over Educational Society shall first apply and take prior approval of the Government for transfer of college to another management/society and shifting of college. And after getting the approval for the change of management /Society and shifting of college, the new Society shall apply, for physical inspection of the college, as per rules in force, by the Competent Authority and obtain permission.

(4) The rules in force for granting permission to New Private Un-aided Degree Colleges are applicable for shifting of Degree Colleges from one mandal to another mandal.

(5) The Competent Authority shall issue guidelines on the detailed procedure to be followed for change of managements and shifting of degree colleges from one mandal to another mandal.

(6) Any Educational Society shall not be permitted to shift the College from one building to another building within the locality/mandal or one mandal to another mandal under the following circumstances.

(i) Shifting of a College from one leased building to another leased building after the completion of five (5) years of its existence shall not be permitted.

(ii) Shifting of college from leased building to shopping complex or part of a shopping complex etc., other than pucca buildings shall not be permitted.

(iii) Shifting of the College from own building to leased building shall not be allowed or permitted.

(iv) Shifting of colleges in the middle of the academic year shall not be permitted.

(v) No permission shall be granted, if the educational needs of the locality are adequately served in the opinion of the Competent Authority.

(vi) No permission shall be granted if the opening of a new educational institution is likely to create unhealthy and undesirable competition with another educational Institution of the same class/category, in the area.

(vii) No Educational Society shall start/shift any educational institution without obtaining specific orders of permission from the Competent Authority.

(viii) No Educational Society for which permission to establish a college has been accorded, shall be allowed to transfer the college to another Educational Society, without prior approval of the Competent Authority/Government.

(ix) In case of unauthorized shifting of the college, the permission /recognition/affiliation granted to the college shall automatically deemed to be cancelled without any further notice or orders.

10. Norms for conversion of colleges:-

(1) The Educational Societies which are permitted to start Degree Colleges for women and Hotel Management Colleges shall not be allowed to be converted into Co-Education Degree Colleges and regular Degree Colleges respectively on the grounds of the claims made by the individual institutions. In such case, the Management of such college shall apply for closure of the colleges.

(2) If a conversion from women college to co-education college or vice-versa is to be considered by the Government, such a college shall fulfill the requirements of the need based survey and with proper justification. In such a case, the norms prescribed to grant permission for starting new private un-aided degree colleges shall be applicable.

11. Change of name of the College:-

(1) The Educational Society shall submit the resolution of the Governing Body of the Society for change of name of the college along with the approvals granted by the Competent Authority and the affiliating University.

(2) The Educational Society shall submit the document of the Registration of the Society, Bye-Laws of the Society along with the list of the persons in the Governing Body, affiliation orders etc.,
(3) The Educational Society shall submit an undertaking on a non-judicial stamp paper of Rs.100/-(rupees one hundred only) taking the responsibility for any legal disputes that may arise on the change of the name of the College.

12. Norms for appointment of staff:-

(1)The members of the teaching and non-teaching staff shall be regularly appointed and paid as per the pay scales, along with applicable allowances, prescribed by the UGC/State Government as the case may be, from time to time.
(2)The appointment of members of the teaching and the non-teaching staff shall be made only on consideration of merit based on qualifications, rule of reservation and experience prescribed for them and not other considerations.

(3)Appointment of teaching staff in private educational institutions shall be by way of recruitment as prescribed by the Government/Competent Authority/University from time to time.

(4) The College shall obtain the approval of the appointed teaching staff by the University within three months of its affiliation and shall communicate the same to the Competent Authority.

(5) The norms for teacher student ratio and the work load of teachers shall be followed as prescribed by the UGC/Competent Authority/University.

(6) The Competent Authority shall issue guidelines prescribing the qualifications and composition of the Selection Committee for recruitment of teaching and non-teaching staff in the Private Un-aided Degree Colleges.

13. Schedule to accord approvals for New CollegesProgrammes:-

(1) The Competent Authority shall begin, in advance the process of starting New Private Un-aided Degree Colleges, Un-aided Under Graduate Programmes, Un-aided Post Graduate Programmes and other related matters and complete the entire process by 31st March, every year.

(2) The schedule with last date for different stages for granting permission for New Private Un-aided Degree Colleges, Un-aided Under Graduate Programmes, Un-aided Post Graduate Programmes and other related matters involved shall be as under:

(i)Conduct of survey on the need of colleges/programme ... 31st August

(ii) Notification and inviting application ...30th September

(iii)Scrutiny and intimation of deficiencies ...31st October

(iv) Counseling and IC Visits ..20th December

(v) Scrutiny of IC Report ...15th January

(vi)Payment of Corpus fund by eligible societies ...31st January

(vii) Issuance of approvals ...31st March

(3) The applications for New Private Un-aided Degree Colleges, Un-aided Under Graduate Programmes, Un-aided Post Graduate Programmes are valid only for that notification year.

14. Norms for application for New Colleges/Programmes:-

(1)The Educational Society/Trust shall submit a detailed project report, for starting New Private Un-aided Degree College that includes vision and mission, background, experience, details in promoting, managing and operating educational institution(s), its activities in the social, charitable and educational spheres since its inception.

(2) The Development Plan for the college with timeline, spelling out its growth plan over the first 10 year period in terms of phasing of academic programmes, increase in student intake and introduction of Post Graduate programmes/research and the time schedule for stage-wise development of the academic infrastructure like recruitment of faculty, and other support facilities, including student amenities, such as hostels, sports and recreational facilities and with appropriate justifications.

(3) The architectural master plan indicating the land use pattern including those for the future.

(4) The policy with regard to faculty recruitment, retention and development.

(5) The structure of academic and administrative governance.

(6) The sources of financing of capital and operating expenditure besides funds to be generated through student fee and resource projections and their utilization schedule.

(7) The Educational Society shall submit detailed project report for granting new /additional Under Graduate and Post Graduate programmes with reference to admission of students, performance of students, teachers and institution etc,

(8) The applicant Educational society shall submit its detailed project report, application with annexure as prescribed by the Competent Authority in the guidelines.

15. Procedure for grant of permissions for new colleges/ programmes:-

(1) The Competent Authority shall notify through local newspapers and on the website of the Competent Authority, the localities identified in the survey and inviting applications from the educational societies for establishment of New Private Un-aided Degree Colleges, sanction of un-aided Under Graduate programmes, Post Graduate programmes etc.,

(2) The Competent Authority shall process the applications i.e. conduct prima facie scrutiny, intimation of the deficiencies, conduct of counseling for compliance of deficiencies, constitution of Inspection Committees for physical verification of the instructional and infrastructural facilities, processing the Inspection Committee reports following a grading system etc.,

(3) The Competent Authority shall constitute an Inspection Committee consisting of three members drawn one each from University, Department of Collegiate Education and Department of Technical Education /Public Works Department. The Competent Authority shall issue guidelines prescribing the criteria for nomination of the members, procedure to be followed for inspections, their accountability and responsibility, penalties, etc.,

(4) The Competent Authority shall utilize the services of the Universities and Government Degree Colleges for coordinating the inspection process.

(5) The Competent Authority shall upload the Inspection Committee Reports in the public domain.

(6) The Competent Authority shall decide on the granting of approvals and rejections based on the Inspection Reports and other parameters mentioned in these Rules.

16. Power to grant and refusal of permission:-

(1) The Competent Authority shall be the ultimate authority to decide grant or refusal of permission for starting New Private Un-aided Degree College, Un-aided Under Graduate programme(s), un-aided Post Graduate programme(s).

(2) The permission shall be accorded subject to the availability of various physical facilities, academic infrastructure, accommodation etc., and other parameters prescribed in the Rules.

(3)The Competent Authority shall refuse the permission if,

(i) any of the member of the Society/College has been convicted for any criminal offence or has held a record of criminal behavior,

(ii)the Society is already managing/sponsoring a college which is not recognized under University Grants Commission 2(f)/12(B),

(iii)the premises indicated for the proposed College is shared by any another Institution/Establishment run by the same/some other Society or Establishment, leased or rented,

(iv) any dues/complaints pertaining to the Society or its institutions are pending with the Competent Authority and/or affiliating University,

(v) the college has not obtained Extension of Permission and applied for new programmes.

(4) The decision of the Competent Authority to grant or refuse the permission for establishment of New Private Un-aided Degree College, Un-aided Under Graduate programme (s), un-aided Post Graduate programme(s) shall be communicated to the sponsoring educational society within three months from the date of receipt of the application.

(5)No permission shall be granted if the educational needs of the locality are adequately served and in the opinion of the Competent Authority, the opening of a new institution is likely to create unhealthy and undesirable competition with another institution of the same class/category, in the area.

(6) The renewal of provisional permission for colleges in leased premises shall be granted on a yearly basis through inspection process.

(7)The Competent Authority shall be the ultimate authority to decide the number of seats/intake that is to be permitted for each programme of study.

17. Power to withdrawal of permission/recognition:-

(1) The Competent Authority shall be the ultimate authority to withdraw permission/recognition of a private un-aided degree college, un-aided Under Graduate programmes, un-aided Post Graduate programmes, etc.

(2) If an affiliated college ceases to function or is shifted to a different location or is transferred to a different society/trust, or group of individuals without prior approval of the Competent Authority.

(3) If an affiliated college fails to comply with any of the provisions of the Act or rules or guidelines or observe the conditions of the permission or has conducted itself in a manner prejudicial to the academic and administrative standards and interests of the Competent Authority/Government and the affiliating University.

(4) If an affiliated college is run in a temporary/leased building for the past ten (10)years and has not shifted to own building.

(5) If the Society has misrepresented/falsified any information or document that was submitted in support of its application for starting a New Degree College/Programme.

(6) If it is found that the permitted college failed to get affiliation to the college from the university concerned within one year of issuance of the order by the Competent Authority.

(7) No Society shall canvas and/or make admission of students prior to obtain or in anticipation of the permission from the Competent Authority and/or affiliation from the University.

(8) If the Society/Institution has failed to fulfill any of the conditions prescribed for granting permission/recognition.

(9) If the educational society denies admission to any student on the grounds of religion, caste, race or language**.**

(10) If the educational society encourages any propaganda or practice that hurts the sentiments of any religion or class of citizens of India or insulting the religion or the religious belief of any class**.**

(11) The Competent Authority after withdrawing its permission shall recommend to the University concerned to withdraw the affiliation granted to the college in question, who shall take necessary action accordingly.

(12) When an institution, including a permanently recognized/affiliated institution, in the opinion of the Competent Authority, has failed to fulfill any of the conditions prescribed in the permission/recognition/affiliation accorded to that institution the permission shall be withdrawn permanently or for any specified period of time. When permission/recognition/affiliation of the institution is to be withdrawn, the educational society shall be given an opportunity to give its explanation for failure to comply with the prescribed requirements, within a month. If the educational society is prepared to rectify the defects communicated to it, the competent authority may give a reasonable time not exceeding three months to rectify the defects. If, in the opinion of the Competent Authority, the educational society has rectified the defects pointed out, the permission/recognition/affiliation may be continued subject to such further conditions and instructions that are deemed necessary. But if the educational society fails to rectify the defects within the given time, the permission/recognition/affiliation shall be withdrawn.

18. General Instructions:-

(1) The Educational Society shall not shift the College from one building to another building within the mandal and or from one Mandal to another mandal.

(2) The Educational Society shall not run the college in the place other than the place permitted in the order.

(3) In case of unauthorized shifting of the college, the permission/recognition /affiliation granted to the college shall automatically deemed to be cancelled without any further notice or orders.

(4) The Educational Society shall not collect any additional fees or donations either in cash or in kind other than prescribed by the Government from students or parents or any other persons on their behalf, for any purpose, whatsoever.

(5) The Educational Institution/Society shall carry out the instructions issued by the Government/Competent Authority/University concerned from time to time with a view to maintain the academic standards and to safeguard the interest of the teachers and students.

(6) The premises of the institution shall be hygienic, well lighted and well-ventilated with due provision for the safety of the students. The institution shall produce a sanitary certificate from the Municipal Health Officer/Medical Officer of the Primary Health Centre.

(7) The Private Higher Educational Institutions shall be prepared to maintain themselves from out of their own resources and they cannot claim Grant-in-Aid from Government as a matter of right.

(8) The Educational Society shall not open additional sections/programmes for which permission has not been obtained.

(9) No programme/section functioning duly permitted shall be closed down without prior permission of the competent authority.

(10) The Educational Society shall adopt Provident Fund Scheme or any other scheme for the benefit of its employees as prescribed by the Government /Competent Authority from time to time.

(11) The Educational Society shall maintain all the records and registers as prescribed by the Competent Authorities, and they shall be made available to the concerned inspecting officers for inspection/surprise checks.

(12)The Educational Society shall adopt the code of conduct for the teaching and non- teaching staff as prescribed by the Competent Authority.

(13)The premises of the institution (buildings, playground or open site) whether adjacent to it or away from it, shall be used for the purpose of conducting classes or functions conducted by an institution for education purposes or for authorized examinations or for other purposes specifically permitted by the Competent Authorities.

(14) The Educational Society shall fulfill all the conditions stipulated by the Competent Authorities for grant of permission/recognition/affiliation.

(15) The applications prescribed for admission of students and the advertisement calling for the applications shall invariably contain the particulars or order under which the institution has been established.

(16) The admission of students into various programmes shall be as per the rules of admission prescribed by the Government/Competent Authority/ University concerned, from time to time. While making admission the rule of reservation shall be scrupulously followed. The intake of students shall not exceed the prescribed limits of strength. The Principal of the institution shall be personally held responsible for violation of rules of admissions. The Educational Society shall not interfere in the matters of making admission of students.

(17) The Educational Society shall be permitted to open such number of sections/groups/programmes for which permission has been accorded provided there is a minimum strength of students to maintain the section/group/programme as the case may be.

(18) No section/combination/programme, shall be opened without the minimum strength of students and without the prior permission by the competent authority. The minimum/strength required shall be as prescribed by the Competent Authority/University concerned, as the case may be.

(19) On the basis of any complaint or any other information or report from any other source, the Government/Competent Authority/University can cause an enquiry, in respect of a college or a person or Inspection Member and after giving a reasonable opportunity of being heard, may pass an order prohibiting such college/person/Inspection Member from any other activity.

(20) The affiliated College shall maintain all registers and records including audited statement of accounts, as required to be maintained under the orders of the Government/Competent Authority/University and made available as and when required for inspection.

(21) The affiliated College shall take proper care of the academic and welfare activities of the students belonging to the Scheduled Castes, Scheduled Tribes and other disadvantaged groups, including minorities, wherever applicable.

(22) The affiliated college shall charge the fee from the students as prescribed by the Government/Competent Authority/University from time to time.

(23) The affiliated college shall ensure imparting of adequate instruction to the students in the courses/programs of studies to be under taken by the College and that the student teacher ratio in the College shall be as per the UGC norms /Competent Authority/University concerned.

(24) The affiliated college shall impart instruction only in the subjects and for the courses/programmes in the faculties for which the permission/affiliation has been granted by the Competent Authority/University and shall not seek

retrospective permission/affiliation. All such courses/programs shall follow the curriculum approved by the appropriate academic bodies of the university.

(25) The affiliated College shall be accredited by NAAC or any statutory accreditation agency by State /Central Government.

19. Penalties :-

(1) If any University grants affiliation to a College without placing the Inspection Reports and obtains pre or post facto approval of the Executive Council, the Executive Council may initiate necessary disciplinary action including stoppage of retirement benefits to such person(s) responsible for such action.

(2) If any Inspection Committee Member fails to verify the physical facilities as per the rules and fails to give factual report, such Members shall be barred for any Academic and Administrative Committees and Higher Positions in the concerned University. And also inform the Central Statutory Bodies about such members.

(3) If any affiliated college is found guilty of violation of the rules, such college shall be barred from any benefit from the Competent Authority/ Affiliating University concerned.

20. Special Provision:-

(1) The Competent Authority shall have the power to issue guidelines on all or any part of these Rules.

(2) The State Government has the power to modify and/or relax any of the rules, in the larger public interest, duly taking the view of the Competent Authority, and pass reasonable orders with justification.

5. The Secretary, Andhra Pradesh State Council of Higher Education shall take further necessary action.

6. This order issues with the concurrence of the Finance Dept., vide their U.O.No.FIN01-FMU0PC(HTE)/58/2020-FMU-THE, Comp.No**:**1259958, dated: 28.12.2020 and opinion of Law Department.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SATISH CHANDRA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing & Stationery,
Government of A.P., Vijayawada. (with a request to publish in A.P. Extraordinary Gazette)
The Secretary, Andhra Pradesh State Council of Higher Education,
Mangalagiri,Guntur District.
The Commissioner of Collegiate Education, Vijayawada, Andhra Pradesh.

All the Registrars of State Universities.

Copy to:

The P.S. to Secretary to CM.
The Addl. PS to Min(Edn).
The P.S to CS to Govt.
The P.S to Spl. CS to Govt., HE Dept.
The Law (B) Department.
The Finance Department.
SF/SC

//FORWARDED BY:: ORDER//

SECTION OFFICER